

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
UNITED STATES OF AMERICA, :
:
: 17 Cr. 396 (WHP)
:
:
-against- : MEMORANDUM & ORDER
:
:
JOHN CHAMBERS, :
:
:
Defendant. :
:
-----X
WILLIAM H. PAULEY III, United States District Judge:

John Chambers moves for early termination of his supervised release pursuant to 18 U.S.C. § 3583(e). For the following reasons, Chambers' motion is denied.

BACKGROUND

On April 24, 2018, following a jury trial, Chambers was convicted of four counts: bribery in violation of 18 U.S.C. § 666 and 2; conspiracy to commit bribery in violation of 18 U.S.C. § 371, honest services fraud in violation of 18 U.S.C. §§ 1343, 1346 and 2; and conspiracy to commit honest services fraud in violation of 18 U.S.C. 1349. This Court sentenced Chambers principally to 12 months and a day of incarceration to be followed by three years of supervised release. Chambers' supervision started on January 3, 2020.

Since his release from prison, Chambers reportedly has complied with the terms of his supervision. Chambers makes no mention of any employment he has obtained. Chambers seeks early termination because he desires to relocate to Florida for a variety of reasons.

DISCUSSION

A court may “terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). Early termination of supervised release is discretionary and only occasionally warranted due to changed circumstances, such as a defendant’s exceptionally good behavior. See United States v. Lussier, 104 F.3d 32, 36 (2d Cir. 1997). Mere compliance with the terms of supervised release is expected and does not qualify as “exceptionally good behavior.” United States v. Katz, 2008 WL 4699832, at *2 (S.D.N.Y. Oct. 23, 2008).

In determining whether “changed circumstances” exist, courts consider the factors set forth in 18 U.S.C § 3553(a). See 18 U.S.C § 3583(e). If mere compliance with the terms of supervision were sufficient to justify early termination, the exception would swallow the rule. See United States v. Medina, 17 F. Supp. 2d 245, 247 (S.D.N.Y. 1998). Chambers’ desire to relocate to Florida is not inconsistent with completing his term of supervision. This Court is amenable to transferring his supervision to the Middle District of Florida.

CONCLUSION

For the foregoing reasons, John Chambers’ motion to early termination of supervised release is denied. The Clerk of Court is directed to terminate the motion pending at ECF No. 116.

Dated: April 15, 2021
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.